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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

JEFFREY R. PETERSON,
Plaintiff,

v.

ACUMED LLC, a Delaware Corporation,
Defendant.

No. CV 10-586-HU

PLAINTIFF'S STATEMENT OF CLAIMS

The case you are about to hear involves a dispute between Mr. Jeffrey Peterson and his former employer, Acumed LLC. The plaintiff, Jeffrey Peterson, claims that he and his former employer, Acumed LLC, entered into a contract to pay Peterson six months of severance pay and six months of insurance benefits in connection with Peterson's resignation. Peterson says that Acumed breached the contract by failing to pay Peterson the severance pay and insurance benefits. Peterson also says that because the failure was wilful, Acumed must pay him a penalty in the amount of 30 day's pay because of Acumed's failure to give him his final pay on time.

Alternatively, Peterson claims that even if a binding contract was not formed, he may

recover damages under a doctrine known as promissory estoppel because of his reliance on Acumed's promises. Peterson has the burden of proving these claims.

Acumed denies Peterson's claims. Acumed claims that it never promised to pay Peterson six months of severance pay and six months of insurance benefits. Acumed alleges further that even if it did enter into such a contract with Peterson, Peterson's claims fail because Acumed and Peterson mutually rescinded the contract and thereafter entered into an entirely new arrangement. Acumed says that Peterson's claims are also barred by the affirmative defense of after-acquired evidence because Peterson allegedly he violated the alleged contract's confidentiality provision and took into his personal possession documents belonging to Acumed. Acumed has the burden of proving these defenses.

Dated: 11 July, 2011

/s/ Paul L. Breed
Paul L. Breed, OSB No. 83161
Of Attorneys for Plaintiff